

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security

2 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: **Douglas E. Waldron
Patricia L. Waldron**

Case No.: **19-10008-ABA**

Judge: **Andrew B. Altenburg, Jr.**

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS - AMENDED

☐ Original

☒ Modified/Notice Required

Date: _____

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☒ DOES ☐ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney _____ Initial Debtor: DEW Initial Co-Debtor PLW

Part 1: Payment and Length of Plan

- a. The debtor shall pay 701.25 Monthly* to the Chapter 13 Trustee, starting on February 1, 2019 for approximately 60 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:
- ☒ Future Earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
- ☐ Sale of real property
Description:
Proposed date for completion: _____
- ☐ Refinance of real property:
Description:
Proposed date for completion: _____
- ☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

☒ NONE

- a. Adequate protection payments will be made in the amount of \$____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).
- b. Adequate protection payments will be made in the amount of \$____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Isabel C. Balboa	Administrative	10,599.54
Joshua Humphries 013332008	Attorney Fees	4,250.00
Internal Revenue Service	Taxes and certain other debts	4,238.00

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:
☒ None
☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
We Florida Financial	27 Croyden Road Mays Landing, NJ 08330 Atlantic County	68,011.33	0.00	68,011.33	2,421.77

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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f. Secured Claims Unaffected by the Plan ☒ NONE

The following secured claims are unaffected by the Plan:

Creditor

g. Secured Claims to be Paid in Full Through the Plan ☐ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
ABCO FCU	Unsecured	0.00
Hamilton Point Misty Pines HOA	27 Croyden Road Mays Landing, NJ 08330 Atlantic County	1,241.66

Part 5: Unsecured Claims ☐ NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$___ to be distributed *pro rata*
- ☒ Not less than 100 percent
- ☐ *Pro Rata* distribution from any remaining funds

b. **Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases ☐ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
Capital One Auto Finance	120.00	Assumed Auto Lease	Arrearage: \$120.00. 43-month cure. per month through the plan.	314.66
Ford Motor Credit Company, LLC	999.88	Assumed Auto Lease	Arrearage: \$999.88. 43-month cure. per month through the plan.	499.94

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
ABCO FCU	Unsecured	0.00	0.00	None	0.00	0.00

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 3/13/2019.

Explain below why the plan is being modified:	Explain below how the plan is being modified:
Recapitalize plan arrears into the plan and change the step up month to November.	Decreased payment amount for the first 8 month, keep the 9th month the same and the increase Plan payments in month 10 to \$1,950 per month for the remainder of the plan.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☐ NONE

☒ Explain here:

*This plan is a step plan or has lumpsum payments as follows: \$701.25 per month for 8 months, then \$935.00 per month for 1 month, then \$1,950.00 per month for 51 months

Debtors propose to leave the student loan outside of the Plan.

Debtors further propose to increase the trustee payment in month 9 to \$1,890 per month for the remaining 52 months when the Joint Debtor's pension loan ends.

Debor will assume lease of Ford Motor Credit. The trustee is further authorized to pay the pre-petition arrears of Claim No. 1 in the amount of \$999.88.

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: <u>September 25, 2019</u>	<u>/s/ Douglas E. Waldron</u> Douglas E. Waldron Debtor
Date: <u>September 25, 2019</u>	<u>/s/ Patricia L. Waldron</u> Patricia L. Waldron Joint Debtor
Date: <u>September 25, 2019</u>	<u>/s/ Joshua Humphries</u> Joshua Humphries 013332008 Attorney for the Debtor(s)

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Douglas E. Waldron
 Patricia L. Waldron
 Debtors

Case No. 19-10008-ABA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 35

Date Rcvd: Sep 25, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 27, 2019.

db/jdb
 cr +Douglas E. Waldron, Patricia L. Waldron, 27 Croyden Road, Mays Landing, NJ 08330-3433
 +Ford Motor Credit Company, LLC, servicer for CAB E, P.O. Box 62180,
 Colorado Springs, CO 80962-2180
 cr +POLICE AND FIREMEN'S RETIREMENT SYSTEM BOARD OF TR, Phelan Hallinan & Schmieg, PC,
 1617 JFK Boulevard, Suite 1400, Philadelphia, PA 19103-1814
 517948719 +Edfiancial Services, 120 N Seven Oaks Drive, Knoxville, TN 37922-2359
 517952490 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Motor Credit Company LLC, Dept. 55953, PO Box 55000,
 Detroit, MI 48255-0953)
 517948720 Genesis Laboratory Management, 1912 Rte 35 South, Ste 202, Monmouth Beach, NJ 07750
 517948721 +Hamilton Point Misty Pines HOA, c/o Diversity Property Management, 28 S. New York Road,
 B-6, Galloway, NJ 08205-9695
 517948722 +Hyberg, White & Mann, 2111 New Road, Executive Plaza, Suite 105,
 Northfield, NJ 08225-1512
 517948723 +Independent Recovery Resources, 24 Railroad Ave, Patchogue, NY 11772-3518
 517948724 +Ivy Rehab Physical Therapy, 1377 Motor Parkway, Suite 307, Islandia, NY 11749-5258
 517948725 +Lincoln Automotive Financial Service, Attn: Bankruptcy, Po Box 542000,
 Omaha, NE 68154-8000
 518445175 +PNC Bank, National Association, 216 Haddon Avenue, Ste. 406, Westmont, NJ 08108-2812
 518102076 +POLICE AND FIREMEN'S RETIREMENT, c/o CENLAR FSB, Attn: BK Department, 425 Phillips BLVD,
 Ewing NJ 08618-1430
 517948728 +Phelan Hallinan & Diamond PC, 400 Fellowship Road, Suite 100, Mount Laurel, NJ 08054-3437
 518297661 U.S. Department of Education, PO Box 16448, St. Paul, MN 55116-0448
 517948730 +We Florida Financial, Attn: Bankruptcy, Po Box 14548, Fort Lauderdale, FL 33302-4548

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Sep 26 2019 00:31:39 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Sep 26 2019 00:31:36 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517948714 +E-mail/Text: mary.stewart@abcofcu.org Sep 26 2019 00:32:17 Abco Fcu, Attn: Bankruptcy,
 Po Box 247, Rancocas, NJ 08073-0247
 517948717 E-mail/Text: clientrep@capitalcollects.com Sep 26 2019 00:32:30 CCS, Attn: Bankruptcy,
 Po Box 150, West Berlin, NJ 08091
 517948715 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 26 2019 00:33:40 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 517948716 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Sep 26 2019 00:33:11
 Capital One Auto Finance, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 517957874 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Sep 26 2019 00:33:47
 Capital One Auto Finance, a division of, AIS Portfolio Services, LP,
 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
 517972978 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Sep 26 2019 00:34:31
 Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
 518044870 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 26 2019 00:33:16
 Capital One Bank (USA), N.A., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
 518097899 +E-mail/Text: bncmail@w-legal.com Sep 26 2019 00:31:47 CarePoint Health - Physican CHMG,
 C/O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 517957512 E-mail/Text: mrdiscen@discover.com Sep 26 2019 00:30:30 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 517948718 +E-mail/Text: mrdiscen@discover.com Sep 26 2019 00:30:30 Discover Financial, Po Box 3025,
 New Albany, OH 43054-3025
 518249915 E-mail/Text: cio.bncmail@irs.gov Sep 26 2019 00:30:44 Internal Revenue Service,
 Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346
 517948726 +E-mail/Text: bkrpt@retrievalmasters.com Sep 26 2019 00:31:35 NJ EZ Pass,
 c/o Retrieval Mastersr Creditor Bureau, 4 Wesstchester Plaza, Suite 110,
 Elmsford, NY 10523-1615
 517993751 +E-mail/PDF: cbp@onemainfinancial.com Sep 26 2019 00:33:28 OneMain, PO Box 3251,
 Evansville, IN 47731-3251
 517948727 +E-mail/PDF: cbp@onemainfinancial.com Sep 26 2019 00:33:23 OneMain Financial,
 Attn: Bankruptcy, 601 Nw 2nd Street, Evansville, IN 47708-1013
 517948729 E-mail/Text: Harris@ebn.phinsolutions.com Sep 26 2019 00:32:31 State of Maryland CCU,
 c/o Harris and Harris Ltd., 111 West Jackson Blvd, Suite 400, Chicago, IL 60604-4135
 518060721 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 26 2019 00:33:59 Verizon,
 by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
 518256215 E-mail/Text: Harris@ebn.phinsolutions.com Sep 26 2019 00:32:31 Verizon,
 c/o Harris and Harris Ltd., 111 West Jackson Blvd., Suite 400, Chicago, IL 60604-4135
 TOTAL: 19

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 35

Date Rcvd: Sep 25, 2019

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

518070014 POLICE AND FIREMEN'S RETIREMENT SYSTEM
517964918* ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
(address filed with court: Ford Motor Credit Company, LLC, PO BOX 62180,
COLORADO SPRINGS CO 80962-4400)
517993753* +OneMain, PO Box 3251, Evansville, IN 47731-3251

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 27, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 25, 2019 at the address(es) listed below:

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Jason Brett Schwartz on behalf of Creditor Capital One Auto Finance
jschwartz@mesterschwartz.com
John R. Morton, Jr. on behalf of Creditor Ford Motor Credit Company, LLC, servicer for CAB
EAST LLC ecfmail@mortoncraig.com, mortoncraigecef@gmail.com
Joshua Humphries on behalf of Debtor Douglas E. Waldron jhumphries@keaveneylegalgroup.com,
jday@keaveneylegalgroup.com;r46514@notify.bestcase.com
Joshua Humphries on behalf of Joint Debtor Patricia L. Waldron
jhumphries@keaveneylegalgroup.com, jday@keaveneylegalgroup.com;r46514@notify.bestcase.com
Kevin Gordon McDonald on behalf of Creditor PNC Bank, National Association
kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Robert Davidow on behalf of Creditor POLICE AND FIREMEN'S RETIREMENT SYSTEM BOARD OF
TRUSTEES BY ITS ADMINISTRATIVE AGENT NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY
nj.bkecf@fedphe.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9